

Sixth Appellate District

San Jose, California

MONDAY, DECEMBER 27, 2004

(no minute approved orders)

TUESDAY, DECEMBER 28, 2004

H027364 PEOPLE v. PALAVI

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)
Filed December 28, 2004

H0217352 PEOPLE v. BRALEY

The trial court's conditions are hereby modified in the following particulars: (1) the words "Not to traffic in or associate with person who use or traffic in narcotics or other controlled substances" shall be replaced with "You shall not knowingly traffic in controlled substances or knowingly associate with persons who use or traffic in narcotics or other controlled substances," (2) the words "You're not to use or possess alcohol, narcotics, drugs, or other controlled substances without the prescription of a physician," shall be replaced with "You are not to knowingly use or possess alcohol, narcotics, drugs, or other controlled substances without the prescription of a physician," (3) the words "Not possess, receive[, or] transport any firearm" shall be modified to read "You shall not knowingly possess, receive, or transport any firearm." As so modified, the judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)
Filed December 28, 2004

WEDNESDAY, DECEMBER 29, 2004

H027460 MARRIAGE OF BARARPOUR AND HATAMI

The order appeal from is affirmed. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed December 29, 2004

H027811 MOOSE, as Trustee, etc. v. TAKETA

The judgment is reversed pursuant to the stipulation of the parties. Each party to bear their own attorney fees and costs on appeal. The remittitur shall issue forthwith. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed December 29, 2004

Sixth Appellate District

San Jose, California

Wednesday, December 29, 2004 (continued)

H024128 PEOPLE v. WONG

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed December 29, 2004

H027209 MARRIAGE OF BARARPOUR AND HATAMI

The order appeal from is affirmed. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed December 29, 2004

H026847 PEOPLE v. BORQUEZ

The attorney fees order is stricken. In all other respects,
the judgment is affirmed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed December 29, 2004

H026775 MCDONNELL v. MCBRIDE, et al.

The judgment is affirmed. (not published)
(McAdams, J.; We concur: Elia, Acting P.J., Bamattre-Manoukian,
J.)
Filed December 29, 2004

H026882 MUSCLETECH RESEARCH AND DEVELOPMENT, INC. v. ZURICH
NORTH AMERICA, et al.

The judgment is reversed. MuscleTech shall recover its
appellate costs. (not published)
(Mihara, J.; We concur: Rushing, P.J., Elia, J.)
Filed December 29, 2004

H026538 RANA v. SINGH

The matter is remanded to the trial court, with directions
(1) to amend its order on the motion for summary judgment,
entered July 25, 2003, to grant judgment on the complaint in
favor of the defendant, Maninder Kaur Singh; and (2) to enter
that judgment nunc pro tunc. As amended to constitute a
judgment, the order is affirmed. Defendant shall have her costs
on appeal. (not published)
(McAdams, J.; We concur: Elia, Acting P.J., Bamattre-Manoukian,
J.)
Filed December 29, 2004

Sixth Appellate District

San Jose, California

THURSDAY, DECEMBER 30, 2004

H026823 PEOPLE v. ROGERS

The two-year concurrent sentence for count 5 is stayed pending finality of the judgment and service of the sentence on count 1, such stay to become permanent upon completion of sentence as to count 1. The superior court is ordered to prepare an amended abstract of judgment to so show this modification and send it to the Department of Corrections. As so modified, the judgment is affirmed. (not published)

(Walsh, J.*; We concur: Rushing, P.J., McAdams, J.)

Filed December 30, 2004

(*Judge of the Santa Clara County Superior Court assigned by the Chief Justice pursuant to Article VI, Section 6 of the California Constitution.)

H027482 TERRA LAW, LLP v. JACKSON

The order denying relief from default is reversed. The matter is remanded with directions to grant defendant's motion unless the court finds that the default "was not in fact caused by the attorney's mistake, inadvertence, surprise, or neglect," within the meaning of Code of Civil Procedure section 473, subdivision (b). The parties shall bear their own costs on appeal. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed December 30, 2004

H027223 PEOPLE v. HUGHES

The judgment is affirmed. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed December 30, 2004

H026390 TEFFERA v. MORYL

The judgment is affirmed. (not published)

(Elia, Acting P.J.; We concur: Bamattre-Manoukian, J., McAdams, J.)

Filed December 30, 2004

H026731 PEOPLE v. MAI

The judgment is affirmed. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed December 30, 2004